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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,381	09/02/1999	RONALD PADALINO	CITI0123	2512

27510 7590 12/04/2002
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EXAMINER

WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/04/2002

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,381

Applicant(s)

PADALINO ET AL.

Examiner

Steven R. Wasylchak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,8,10-13,16-35,37,38,40,56-62,69,70 and 76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,8,10-13,16-35,37,38,40,56-62,69,70 and 76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 6,9,14,15,36,39,40-55,62-68,71-75 were cancelled; new claim 76 was added.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-5,7,8,10-13,16-20, 32-35,37,38,40,56-60,76 are rejected under 35 USC 102(e) as being anticipated by Jennings et al (Jennings) (US 5,794,218).

As per cl 1 amended,

A method for automated settlement of a financial transaction,
comprising:

-receiving an identification of a currency-dispensing entity via an interactive voice response system in connection with a financial transaction comprising an emergency cash transaction for a caller; / abstract, fig 1, col 2,

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-receiving an identification of a caller language via the interactive voice response system and thereafter prompting the caller in the identified language; /abstract, fig 1, col 1, L 60-68; col 2, L 1-4, 13-20, 55-61

-receiving an identification of the caller and the caller's home bank via the interactive voice response system / abstract, fig 1, col 2, L 1-4

-bridging the caller to the caller's home bank by the interactive voice response system; / abstract, fig 1, col 2, L 20-22, 55-61; col 3, L 28-33; col 7, L 14-15

-receiving a request from the caller for the financial transaction by the caller's home bank via the interactive voice response system consisting at least in part of dispensing of a currency by the currency-dispensing entity to the caller; / col 2, L 20-31, 55-61

-communicating with the caller by the caller's home bank in the caller's language via the interactive vice response system at least in part to identify a settlement account for the caller; / col 2, L 13-32, 55-61

-calculating an amount of the currency approved for dispensing to the caller by the caller's home bank based at least in part on a check of the caller's settlement account balance via the interactive voice response system and a shared central network; /col 2, L 45-53, 55-61

-communicating to the currency-dispensing entity via he interactive voice response system the amount of currency approved for dispensing to the caller in a language associated with the currency-dispensing entity; and / col 2, L 20-31, 55-61

-automatically initiating a settlement of the financial transaction consisting at least in part of communicating an approval by the currency-dispensing entity of the financial

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transaction to the caller's home bank via the interactive voice response stem and on-line debiting of the caller's settlement account and corresponding credit of a currency-dispensing entity account via the interactive voice response system and the central network. / col 2, L 39-44, 55-61; fig 1(20,44) ✓

As per cl 2,

The method of claim 1, wherein receiving the identification of the caller language further comprises receiving the identification telephonically. / Jennings- col 2, L 59-61; fig 1(18,25)

As per cl 3,

The method of claim 2, wherein receiving the identification of the caller language telephonically comprises receiving the identification as a dual tone multi-frequency signal/Jennings: fig 1(18,25)

As per cl 4,

The method of claim 3, wherein communicating with the caller in the caller's language comprises communicating with the caller with an automatic voice. / Jennings: col 2, L 55-67; col 3, L 1-10

As per cl 5,

The method of claim 4, wherein communicating to the currency dispensing entity the amount of currency approved for dispensing to the caller comprises communicating to the currency-dispensing entity with an automatic voice. / Jennings: col 2, L 55-67; col 3, L 1-10

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As per cl 7,

The method of claim 5 further comprising automatically accessing at least one foreign-exchange rate. / Jennings: col 2, L 45-53, 55-61

As per cl 8,

The method of claim 7, wherein automatically initiating the settlement of the transaction further comprises communicating with the callers settlement account./ Jennings: fig 1, col 2, L 38-44, 55-61

As per cl 10,

The method of claim 8, further comprising logging the financial transaction. / Jennings: fig 1, col 2, L 39-44, 55-61

As per cl 11,

The method of claim 10, wherein logging the transaction further comprises logging an identification of an issuer and the identification of the currency-dispensing entity in a database. / Jennings: fig 1, col 6, L 20

As per cl 12,

The method of claim 11, wherein automatically initiating the settlement of the financial transaction further comprises automatically initiating a movement of funds between the issuer and the currency-dispensing entity. / Jennings: fig 1, col 2, L 39-44, 55-61

As per cl 13,

The method of claim 11, wherein the currency-dispensing entity further comprises an acquirer. / Jennings: fig 1, col 2, L 39-44, 55-61

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As per cl 16,

The method of claim 1, wherein automatically initiating the on-line debit of the account of the caller comprises automatic communication with an account of the caller.

/Jennings: col 6, L 20-29; fig 2, 3

As per cl 17,

The method of claim 16, wherein automatically initiating the on-line debit of the caller's account further comprises communicating with an issuer. /Jennings: col 6, L 20-29; fig 2, 3

As per cl 18,

The method of claim 17, wherein the automatically initiating the on line debit of the caller's account further comprises forwarding a debit message to the issuer. / Jennings: col 6, L 20-29; fig 2, 3

As per cl 19,

The method of claim 18, wherein forwarding the debit message to the issuer further comprises forwarding the debit message to a business unit of the home bank.

/Jennings: col 6, L 20-29; fig 2, 3

As per cl 20,

The method of claim 19, wherein forwarding the debit message to the business unit of the home bank further comprises forwarding a cash withdrawal message to the business unit of the home bank. / Jennings: col 6, L 20-29, fig 2, 3

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As per cl 32,

The method of claim 1, further comprising logging the transaction. / Jennings: fig 1(44), col 2, L 39-44, 55-61

As per cl 33,

The method of claim 32, wherein logging the transaction comprises logging an issuer and an acquirer. / Jennings: fig 1(36); col 6, L 20

As per cl 34, The method of claim 33, wherein automatically initiating a settlement of the financial transaction comprises automatically initiating movement of funds between logged acquirers and issuers. / Jennings: fig 1(36); col 2, L 38-41, 55-61; col 6, L 20

As per cl 35,

The method of claim 34, wherein automatically initiating a settlement of the financial transaction further comprises communicating with the settlement account. / Jennings: fig 1, col 2, L 38-41, 55-61

As per cl 37,

The method of claim 34 further comprising generating a settlement report. / Jennings: fig 1(44).

As per cl 38,

The method of claim 37, wherein the settlement report comprises the financial transaction separated from other transactions. / Jennings: fig 1(44), col 2, L 38-41, 55-61

As per cl 56,

A system for automated settlement of a financial transaction, comprising:

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-an interactive voice response system preprogrammed for receiving an identification of a currency-dispensing entity in connection with a financial transaction comprising an emergency cash transaction for caller receiving an identification of a caller language and thereafter prompting the caller in the identified language and receiving an identification of a caller and the caller's home bank; / abstract, fig 1, col 2, L 1-4 , col 1, L 60-68; col 2, L 13-20, L 55-61

-wherein the interactive voice response system is also preprogrammed for bridging the caller to the caller's home bank; / abstract, fig 1, col 2, L 20-22, L 55-61; col 3, L 28-33; col 7, L 14-15

- receiving a request for the caller for the financial transaction consisting at least in part of dispensing of a currency by the currency-dispensing entity to the caller and communicating with the caller in the caller's language at least in part to identify a settlement account for the caller; / col 2, L 13-32, L 55-61

- a home bank system for calculating an amount of the currency approved for dispensing to the caller based at least in part on a check of the callers settlement account balance via the interactive voice response system and a shared central network; and / col 2, L 45-53, 55-61

- wherein the interactive voice response system is further preprogrammed for communicating to for communicating to the currency-dispensing entity the amount of currency approved for dispensing to the caller in a language and currency associated with the currency-dispensing entity and / col 2, L 20-31, 55-61

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- automatically initiating a settlement of the financial transaction consisting at least in part of communicating an approval by the currency-dispensing entity of the financial transaction to the caller's home bank and on-line debiting of the caller's settlement account and corresponding credit of a currency-dispensing entity account via a central network. / col 2, L 39-44, 55-61, fig 1(20,44)

As per cl 57,

The system of claim 56, further comprising a telephonic device for receiving the identification of the caller language./Jennings: col 2, L 59-61; fig 1(18,25)

As per cl 58,

The system of claim 57, wherein the telephonic device further comprises an automatic voice. / Jennings- col 2, L 55-67; col 3, L 1-10

As per cl 59,

The system of claim 56, further comprising means for automatically initiating the on-line debit of the account of the caller. / Jennings: col 2, L 34-37

As per cl 60,

The method of claim 59, wherein the means for automatically initiating the on-line debit of the caller's account further comprises means for forwarding a debit message to an issuer. / Jennings: fig 1(20)

As per cl 76 (NEW),

A method for automated settlement of a financial transaction,
comprising:

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-receiving information identifying a foreign branch bank, a caller language, and a caller/
abstract, fig 1, col 2, L 55-61; col 1, L 60-68; col 2, L 1-4, 13-20

-bridging the caller to a home bank / abstract, fig 1, col 2, L 20-22, 55-61; col 3, L 28-33;
col 7, L 14-15

-receiving a request for a financial transaction consisting at least in part of dispensing of
a currency by a foreign branch bank to the caller; / col 2, L 20-31, 55-61

-communicating with the caller in the caller's language; / col 2, L 13-32, 55-61

-calculating an amount of the currency approved for dispensing to the caller /col 2, L
45-53, 55-61

-communicating to the foreign branch bank the amount of currency approved for
dispensing to the caller in a language associated with the foreign branch bank; / col 2, L
20-31, 55-61

-communicating an approval of the financial transaction by the foreign branch bank to
the caller's home bank via an interactive voice response system;/ col 2, L 20-31, 55-61

-receiving an on-line debit message for the financial transaction by a shared central
network form the interactive voice response system; and/ inherent in col 2, L 20-31, 55-
61

-simultaneously crediting an amount for the financial transaction to a settlement account
associated with the foreign branch bank and debiting the amount for the transaction to
the settlement account associated with the caller's home bank by the shared central
network./ inherent in col 2, L 39-44, 55-61 and fig 1(20,44): the automation in Jennings
et al presupposes a debit(s) will automatically generate a credit(s) so that the debit(s)

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will equal the credit(s) for every transaction by the application of Generally Accepted Accounting Principles (GAAP).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 69 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings (US 5,794,218) and in view of Marcous et al (US 5,650,604).

As per cl 69,

A system for automated settlement of a financial transaction, comprising:

-an interactive voice response system comprising scripts in at least two languages and preprogrammed for receiving an identification of a currency-dispensing entity in connection with a financial transaction comprising an emergency; cash request for a caller, receiving an identification of a caller language and thereafter prompting the caller in the identified language, receiving an identification of a caller and the caller's home bank, and bridging the caller to the caller's home bank;/ Jennings: fig 1(20), fig 2, col 5, L 40-51, col 6, L 1-33

wherein the interactive voice response system is also preprogrammed for automatically initiating a settlement of the financial transaction consisting at least in part

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of communicating an approval by the currency-dispensing entity of the financial transaction to the caller's home bank and for on-line debiting of the caller's settlement account and corresponding credit for a currency-dispensing entity account via:

- a central network in communication with the interactive voice response system; /

Jennings: fig 1(20), fig 2, col 5, L 40-51, col 6, L 1-33

- an issuer maintaining the caller's settlement account in communication with the home bank via central network; / Jennings: fig 1(20), fig 2, col 5, L 40-51, col 6, L 1-33

- a foreign acquirer in communication with the home bank via the interactive voice response system; /Jennings- fig 1(20), fig 2, col 5, L 40-51, col 6, L 1-33 .

Jennings fails to teach the feature of a foreign acquirer. However, Marcous et al discloses the feature of a foreign acquirer (col 10, L 7-23). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use a foreign acquirer for the advantage of increasing revenue by tapping into the global travelers' market.

- and a database in communication with the caller's home bank, the issuer, and the foreign acquirer via central network and storing data related to financial transactions occurring over a pre-defined time period, wherein the central network preprogrammed to automatically initiate settlement of the emergency cash transaction. / Jennings: fig 1(20,44), fig 2, fig 16(570); col 5, L 40-51, col 6, L 1-33

As per cl 70,

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The system of claim 69, wherein the database further comprises issuer data and acquirer data for the emergency cash transaction. / Jennings and Marcous et al as applied to claim 69 and in view of Jennings: fig1(20), fig 2, col 6, L 13, fig 3(102)

-a caller identifier; / abstract, fig 1, col 1, L 60-68; col 2, L 1-4, 13-20, 55-61

-a call bridge processor, consisting at least in part of a telephonic bridge for the currency-dispensing entity and a home bank; / fig 1(20, 24, 28); col 1, L 60-68; col 2, L 1-4, 13-20

-a financial transaction request receiver for a financial transaction consisting at least in part of dispensing of currency by the currency-dispensing entity to the caller; / abstract, fig 1, col 2, L 20-22, L 55-61; col 3, L 28-33; col 7, L 14-15

-a caller communicator having a caller-language communicator; / fig 1(14,18,22,26)

-an approved-currency calculator consisting at least in part of data reflecting on amount of currency approved for dispensing to the caller; / col 2, L 13-32, 55-61, fig 1(20,28)

-an approved-currency communicator consisting at least in part of automatic voice data in a language associated with the currency

-dispensing entity reflecting the amount of currency approved for dispensing to the caller; and / col 2, L 2031, 55-61; fig 1(20,28)

-an automatic on-line debit initiator. / fig 1(20,44)

6. Claims 21-31, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings and in view of the article "Electronic Evolution."

As per cl 21,

The method of claim 15, wherein automatically initiating an on-line

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debit of an account of the caller comprises communicating debiting information from an interactive voice response system to the central network. / While Jennings teaches an IVR system (col 3, L14; col 5, 42-46), he fails to explicitly teach an IVR system for debiting information.

However, Electronic Evolution discloses an IVR system that debits information (page 7). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature so that costs can be dramatically reduced and to increase customer convenience.

As per cl 22,

The method of claim 21, further comprising determining if an issuing front-end system is available. / Jennings: fig 1.

As per cl 23,

The method of claim 22, further comprising communicating with the issuing front-end system. / Jennings: fig 1.

As per cl 24,

The method of claim 23, further comprising receiving a response from the issuing front-end system. / Jennings: fig 1.

As per cl 25,

The method of claim 24, wherein the response is received by the central network. / Jennings:fig 1(20)

As per cl 26,

The method of claim 25, further comprising communicating to the

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home bank that the home bank should not debit an account of the customer. /Jennings: fig 1(24) Also note: the home bank can debit the account of the customer and subsequently reverse the entry when the summary of transactions is done and thereby leave a more detailed audit trail.

As per cl 27,

The method of claim 24, further comprising logging the transaction. / Jennings: fig 1(44)

As per cl 28,

The method of claim 27, wherein the database is in communication with the central network. / Jennings: fig 1(20)

As per cl 29,

The method of claim 26, further comprising transmitting a confirming facsimile to the home bank. / Jennings: fig 1(38,40), col 2, L 42-44

As per cl 30,

The method of claim 26, further comprising transmitting a confirming facsimile to the currency-dispensing entity. / Jennings: fig 1.

As per cl 31,

The method of claim 26, further comprising sending a summary of the financial transaction to the home bank. / Jennings: fig 1(44)

As per cl 61,

The system of claim 60, wherein the means for automatically initiating the on-line debit of the account of the caller further comprises means for communicating debiting

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information from the interactive voice response system to a central network. / Jennings fails to explicitly teach an IVR system for debiting information.

However, Electronic Evolution discloses an IVR system that debits information (page 7). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature so that costs can be dramatically reduced and increases customer convenience.

7. Examiner responds to Attorney's argument under 102 and 103 that the definition of settlement, in general is "to pay an obligation" (Dictionary of Finance and Investment Terms, p. 559). *Inherently* Jennings's automated settlement is just that – automatic, and therefore simultaneous, with total debits equaling total credits for each transaction among all parties to the transaction in their accounts as required under Generally Accepted Accounting Principles. Subsequent transaction documents may manually follow to leave an audit trail and transaction verification. See Jennings et al, col 7, L 64 to col 8, L 9.

This action is FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak



11/29/02



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